

**Notice of Allowability**

Application No.

10/040,734

Examiner

Daquan Zhao

Applicant(s)

BETZ ET AL.

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/5/2007.
2. ☒ The allowed claim(s) is/are 1-15, 24 and 25.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date See Continuation Sheet
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

Continuation of Attachment(s) 3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date:  
11/5/2007;6/13/2007;11/20/2006;11/6/2006;5/16/2005;11/26/2004.

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael J. Ferazano on 12/4/2007.

**Claims 11-15** are amended as the following:

**Claim 11:** An apparatus for enabling a user to create and display a customized video presentation from a preexisting digital video title on a DVD during playback of the preexisting digital video title, said apparatus comprising:

a user interface for enabling a user to select at least one video frame from the preexisting digital video title, wherein the video frame selected can be any video frame from the preexisting digital video title;

a user interface for enabling a user to select one or more interest points from the video frame;

a user interface for enabling the user to enter information associated with the one or more interest points from the video frame

a user interface for enabling the user to enter a control for one or more interest points from the video frame

an annotator tool arranged to generate a set of op-code instructions used to permanently modify original video data corresponding to the one or more interest points from the video frame based on the information and control entered by the user;

an interest point chart for listing the one or more interest points associated with the modified video frame;

an interest point setting area, said interest point setting area having a user interface for enabling a viewer to enter an x-coordinate and y-coordinate for each of the one or more interest points; and

a means for storing a file on the DVD separate from the original video data stored on the DVD after modifying the one or more interest points in the associated video frame, the file storing the video frame modified by the op-code instructions in response to the user, the information associated with the modified video frame, the controls for said modified video frame the x-coordinates and the y-coordinates of the one or more interest points, and identifiers for relating the modified video frame and the one or more interest points to the associated preexisting digital video title containing the original video frame,

wherein during playback of the customized video presentation by a DVD player, said file cause said DVD player to display the modified video frame stored in the file on the DVD in place of the corresponding original video frame from the preexisting digital video title stored on the DVD such that a user is able to examine the one or more interest points in the modified video frame, said location of said corresponding original

video frame from the preexisting digital video title being specified by the associated identifiers in said file.

**Claim 12:** The apparatus of claim 11, wherein the control for said video frame comprises a control selected from a group consisting of a pause time and a pre-roll time.

**Claim 13:** The apparatus of claim 11, wherein the control for said video frame comprises a pause time and a pre-roll time for the video prior to said pause time.

**Claim 14:** The apparatus of claim 11, wherein the interest point setting area further comprises a user interface for entering a zoom level for the one or more interest points.

**Claim 15:** The apparatus of claim 11 further comprising: entering a gamma correction level for the one or more interest points.

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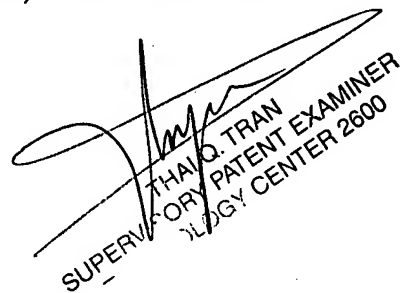
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daquan Zhao whose telephone number is (571) 270-1119. The examiner can normally be reached on M-Fri. 7:30 -5, alt Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai Q, can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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